

House File 15 - Introduced

HOUSE FILE 15
BY WESSEL-KROESCHELL

A BILL FOR

1 An Act relating to the provision of an expedited process
2 in a dissolution of marriage proceeding to determine the
3 temporary custody of a minor child with chronic or complex
4 medical needs.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 598.10, subsection 1, paragraph a, Code
2 2017, is amended to read as follows:

3 a. (1) The court may order either party to pay the clerk
4 a sum of money for the separate support and maintenance of
5 the other party and the children and to enable such party to
6 prosecute or defend the action.

7 (2) The court may on its own motion and shall upon
8 application of either party or an attorney or guardian ad litem
9 appointed under [section 598.12](#) determine the temporary custody
10 of any minor child whose welfare may be affected by the filing
11 of the petition for dissolution.

12 (3) Upon application of either party or an attorney or
13 guardian ad litem appointed under section 598.12, the court
14 shall hold a hearing and rule on the application to determine
15 the temporary custody of any minor child within thirty days
16 of filing of the application, if the application asserts
17 the minor child, due to a chronic condition, disability, or
18 complex medical condition, requires consistent medical care,
19 monitoring, or supervision to maintain the minor child's
20 health status or to prevent life-threatening complications or
21 deterioration of the minor child's health status, necessitating
22 an expedited hearing and ruling.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with
25 the explanation's substance by the members of the general assembly.

26 This bill provides that in determining the temporary
27 custody of a minor child, upon application of either party
28 to a dissolution of marriage proceeding or an attorney or
29 guardian ad litem appointed to represent the legal interests
30 of the minor child of the parties to such a proceeding, the
31 court shall hold a hearing and rule on the application to
32 determine the temporary custody of any minor child within 30
33 days of filing of the application, if the application asserts
34 that the minor child, due to a chronic condition, disability,
35 or complex medical condition, requires consistent medical

1 care, monitoring, or supervision to maintain the minor child's
2 health status or to prevent life-threatening complications or
3 deterioration of health status, necessitating an expedited
4 hearing and ruling.